

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Allegation of Violation of APCS (Conduct) Rules, 1964 against Sri Ch. Jagannadham, Prohibition & Excise Inspector (Retd.), Intelligence Wing, Srikakulam – Allegations proved - Punishment of 10% (Ten percent) cut in pension for a period of one (1) year – Orders – Issued.

REVENUE (VIGILANCE.V) DEPARTMENT

G.O.Ms.No. 580

Dated:22.09.2012,

Read the following:-

- 1) The Commissioner of Prohibition & Excise, A.P., Hyderabad., Cr.No.13/97/CPE/SR, Dated:11.11.2000.
- 2) The Deputy Commissioner of Prohibition & Excise, Vishakapatnam., Rc.No.1415/2000/A1, dated:13.02.2007.
- 3) The Assistant Commissioner of Prohibition & Excise, Srikakulam Zone., Rc.No.18/2007/ACE/A-2, dt:30.03.2007.
- 4) Govt. Memo No.2593/Vig.V.(1)/2001-22, dt:13-07-2012.
- 5) From Sri. Ch. Jagannadham, Prohibition & Excise Inspector (Retd.), Vishakapatnam division, dated:20.7.2012.
- 6) Govt. Letter No.2593/Vig.V(1)/2001-25, dated:24.08.2012.
- 7) From the Secretary I/c, APPSC, Hyderabad., Letter No.1661/rt/3/2012, Dated:06.09.2012.

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ORDER:

The Commissioner of Prohibition & Excise, A.P., Hyderabad has initiated departmental action and framed charges against Sri. Ch. Jagannadham, Prohibition & Excise Inspector, Intelligence Wing, Srikakulam on the allegation that he has acquired movable and immovable properties /assets in his / in his family members name without obtaining prior permission from the competent authority and thus failed to maintain absolute integrity in violation of Rule 9(1) of APCS (Conduct) Rules 1964 (reference 1st cited).

2) In accordance with the orders of the Deputy Commissioner of Prohibition & Excise, Vishakapatnam Division (reference 2nd cited), the Assistant Commissioner of Prohibition & Excise, Enforcement Zone, Srikakulam, who was appointed as Enquiry Officer to conduct enquiry in the matter, has submitted enquiry Report wherein he has held that all the (12) Charges are proved against the Charged Officer (reference 3rd cited).

3) Therefore, Government have provisionally decided to impose a penalty of 10% (Ten percent) cut in pension for a period of one (1) year against the Charged Officer and issued a Show Cause Notice to the Charged Officer, with a direction to submit his explanation, if any within 15 days from the date receipt of the Memo (reference 4th cited).

4) The Charged Officer has, in his explanation dated:20.07.2012, has stated that under Rule 9(1) of APCS (Conduct) Rules the requirement of seeking prior permission of the Government before acquisition of property is not required. He has also stated that the properties were acquired by his mother and wife for which he did not fund any money, nor did the transactions confer any right in him on the properties. Therefore, he cannot be found fault with a mere assumptions.

5) It is seen from the records that he acquired (4) assets in his own name, (3) were in the name of his wife and (5) were in the name of his son. No evidence has been adduced by the Delinquent Officer during the enquiry to the effect that his wife and mother deployed their funds to buy the properties in the name of his wife / son. It is also not known as to why his mother would not buy the properties in his name but in the name of his wife / son. It is also inconceivable that his wife and son acquired as many as (8) properties without his knowledge as claimed by him during the enquiry.

6) All the above point to irregular acquisition of immovable properties by the Delinquent Officer and members of his family in clear violation of Conduct Rule No. 9(1) which stipulate

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prior intimation to the Government before acquisition of immovable property by a member of service. The explanation of the individual to the Show Cause Notice is therefore considered not satisfactory.

7) Hence the Government, after careful examination of the whole matter and in consultation with the A.P.P.S.C. (reference 7th cited) have decided to confirm the provisional decision i.e., to impose a punishment of 10% cut in pension for a period of one (1) year against Sri. Ch. Jagannadham, Prohibition & Excise Inspector (Retd)., Intelligence Wing, Srikakulam (reference 6th & 7th cited)

8) The Commissioner of Prohibition & Excise, A.P., Hyderabad / Deputy Commissioner of Prohibition & Excise, Vishakapatnam shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Prohibition & Excise, A.P., Hyderabad.

The Deputy Commissioner of Prohibition & Excise, Vishakapatnam.

Copy to:-

The Govt. Pleader, APAT, Hyd. **(with a request to appraise the position to Hon'ble APAT)**

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary, A.P. Vigilance Commission, Secretariat, Hyderabad.

The Secretary, A.P.P.S.C, Nampally, Hyderabad.

The District Treasuries & Accounts, A.P., Hyderabad.

The Account General, A.P., Hyderabad.

Sri. Ch. Jagannadham, formerly Prohibition & Excise Inspector,
Intelligence Wing, Srikakulam (Retd.)

**(Through) : the Commissioner of Prohibition & Excise, A.P.,
Hyderabad. (with copy of the opinion of the APPSC)**

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//FORWARDED :: BY ORDER//

SECTION OFFICER